



Project Address: 121, 123, and 127 West Gilman Street
Application Type: Certificates of Appropriateness for demolition and new development in the Mansion Hill historic district
Legistar File ID # [32027](#)
Prepared By: Amy L. Scanlon, Preservation Planner, Planning Division

Summary

Applicant/Property Owner: Dan Seeley

Requested Action/Proposal Summary: This development proposal requires multiple actions from the Landmarks Commission. The Landmarks Commission shall act on the request for a Certificate of Appropriateness for the following items related to Legistar #32027 as discussed in this staff report:

- Demolition of structure located at 121 West Gilman
- Demolition of structure located at 127 West Gilman
- New development in historic district on West Gilman

The Landmarks Commission shall also provide the Plan Commission with an advisory recommendation on the following items related to Legistar #32027 as discussed in this staff report:

- Land division/combination in a historic district
- New development adjacent to landmark site 120 West Gorham

The Landmarks Commission shall also act on the request for a Certificate of Appropriateness for the following items related to Legistar #32076 as discussed in a separate staff report:

- Removal/relocation (demolition) of structure located at 123 West Gilman (see Legistar #32076)
- New development in historic district at 113 West Gorham (relocation site) (see Legistar #32076)

Applicable Regulations & Standards: Section 33.19 and Chapter 28 of the Madison General Ordinances (see below)

Review Required By: Landmarks Commission, Plan Commission

Background Information

Parcel Location: The subject sites are located in the Mansion Hill (local) historic district and in the Mansion Hill National Register Historic District.

Relevant Ordinance Sections:

The definition of demolition is being included so the Commissioners understand the standards for review.

28.211 Definitions

Demolition. Demolition is an act or process that removes, pulls down, tears down, razes, deconstructs or destroys an existing building wall facing a public street or, during any ten (10) year period, removes, pulls down, tears down, razes, deconstructs or destroys fifty percent (50%) or more of the area of the exterior walls of a building. This provision does not apply to the repair or replacement of windows, doors, or siding.

33.19(5)(c)3. Standards. (for Demolition)

In determining whether to issue a Certificate of Appropriateness for any demolition, the Landmarks Commission shall consider and may give decisive weight to any or all of the following:

- a. Whether the building or structure is of such architectural or historic significance that its demolition would be detrimental to the public interest and contrary to the general welfare of the people of the City and the State;
- b. Whether the building or structure, although not itself a landmark building, contributes to the distinctive architectural or historic character of the District as a whole and therefore should be preserved for the benefit of the people of the City and the State;
- c. Whether demolition of the subject property would be contrary to the purpose and intent of this chapter as set forth in Sec. 33.19 and to the objectives of the historic preservation plan for the applicable district as duly adopted by the Common Council;
- d. Whether the building or structure is of such old and unusual or uncommon design, texture and/or material that it could not be reproduced or be reproduced only with great difficulty and/or expense;
- e. Whether retention of the building or structure would promote the general welfare of the people of the City and the State by encouraging study of American history, architecture and design or by developing an understanding of American culture and heritage;
- f. Whether the building or structure is in such a deteriorated condition that it is not structurally or economically feasible to preserve or restore it, provided that any hardship or difficulty claimed by the owner which is self-created or which is the result of any failure to maintain the property in good repair cannot qualify as a basis for the issuance of a Certificate of Appropriateness;
- g. Whether any new structure proposed to be constructed or change in use proposed to be made is compatible with the buildings and environment of the district in which the subject property is located.

33.19 (1) Purpose and Intent It is hereby declared a matter of public policy that the protection, enhancement, perpetuation and use of improvements of special character or special historical interest or value is a public necessity and is required in the interest of health, prosperity, safety and welfare of the people. The purpose of this section is to:

- (a) Effect and accomplish the protection, enhancement and perpetuation of such improvements and of districts which represent or reflect elements of the City's cultural, social, economic, political and architectural history.
- (b) Safeguard the City's historic and cultural heritage, as embodied and reflected in such landmarks and historic districts.
- (c) Stabilize and improve property values.
- (d) Foster civic pride in the beauty and noble accomplishments of the past.
- (e) Protect and enhance the City's attractions to residents, tourists and visitors, and serve as a support and stimulus to business and industry.
- (f) Strengthen the economy of the City.
- (g) Promote the use of historic districts and landmarks for the education, pleasure and welfare of the people of the City.

33.19(10)(e) Guideline Criteria for new Development in the Mansion Hill Historic District.

1. The gross volume of any new structure shall be visually compatible with the buildings and environment with which it is visually related (visually related area).
2. In the street elevation(s) of a new building, the proportion between the width and the height in the facade(s) shall be visually compatible with the buildings and the environment with which it is visually related (visually related area).

3. The proportions and relationships between width and height of the doors and windows in new street facade(s) shall be visually compatible with the buildings and environment with which it is visually related (visually related area).
4. The rhythm of solids to voids created by openings in the facade of the new structure should be visually compatible with the buildings and environment with which it is visually related (visually related area).
5. All new street facades should blend with other buildings via directional expression. When adjacent buildings have a dominant vertical or horizontal expression, this expression should be carried over and reflected.

33.19(5)(i)1. Review proposed land divisions and subdivision plats of landmark sites and properties in Historic Districts to determine whether the proposed lot sizes negatively impact the historic character or significance of a landmark or landmark site and whether the proposed lot sizes are compatible with adjacent lot sizes and maintain the general lot size pattern of the Historic District. The Landmarks Commission review shall be advisory to the Plan Commission.

28.144 DEVELOPMENT ADJACENT TO A LANDMARK OR LANDMARK SITE.

Any development on a zoning lot adjoining a landmark or landmark site for which Plan Commission or Urban Design Commission review is required shall be reviewed by the Landmark Commission to determine whether the proposed development is so large or visually intrusive as to adversely affect the historic character and integrity of the adjoining landmark or landmark site. Landmark Commission review shall be advisory to the Plan Commission and the Urban Design Commission.

Analysis and Conclusion

Each Certificate of Appropriateness and advisory recommendation will be discussed separately in this section.

Certificate of Appropriateness for Demolition of structure at 121 W Gilman

The building at 121 W Gilman was constructed in a style and for a purpose that marks a specific period of development in the City. The building was constructed in 1967 before the creation of the Landmarks Ordinance and the Mansion Hill historic district and does not relate to the significant architecture otherwise found throughout the district.

A brief discussion of the demolition standards (33.19(5)(c)3) follows:

- a. The building is not of architectural or historic significance
- b. The building does not contribute to the architectural or historic character of the district
- c. The demolition would not be contrary to the purpose and intent of this Ordinance or the objectives of the preservation plan for the district
- d. The building is not of such old and unusual or uncommon design
- e. Retention of the building will not promote the general welfare of the public
- f. The building is not in deteriorated condition and a hardship is not being claimed
- g. The new structure proposed for this site may meet zoning code requirements, but it does not meet the Landmarks Ordinance. Further analysis of the new development proposal is found below.

Because the Ordinance allows the Commission to give decisive weight to any or all of the demolition standards, staff suggests that the Commission weigh standards a. through f. under this Certificate of Appropriateness and consider the appropriateness of the new development on the site under a different Certificate of Appropriateness (discussed in this staff report).

Certificate of Appropriateness for Demolition of structure at 127 W Gilman

The building at 127 W Gilman was constructed in 1893 as the Jabez Smith Residence in the Stick Style. It should be noted that the preservation file explains that there are records of a house (c. 1858) on this site that was

presumably demolished, but that it is also possible that this existing house is the c. 1858 house that was relocated and altered by Jabez Smith. In 1922 the residence became the home of a Jewish organization and in 1927, the Phi Sigma Delta fraternity house. The property was purchased by Steve Brown Apartments in 1994 as part of a package deal. The building had suffered fire damage and foundation issues prior to the acquisition by Steve Brown Apartments, but was rented until 1997 and has recently been used for storage.

A brief discussion of the demolition standards (33.19(5)(c)3) follows:

- a. The building is of architectural and historic significance. The building is a vernacular structure in that it represents the stratification of the social classes – it is not representative of the apex buildings (the grand stone/masonry homes) occupied by the elite residents of Mansion Hill, rather it represents the structures occupied by Madison’s middle class of the time. The loss of this structure will diminish the number of structures in this area that communicate this historical record.
- b. The building does contribute to the architectural and historic character of the district. The building is a vernacular structure that was built in an early development period of Madison. The architecture is consistent with the period of development significance and is compatible with other buildings of the same period of development which creates an architectural character. With other buildings in the district, this building conveys cultural and social significance as an example of a mid-size residence built in an early development period of the City by an owner with ample means. The loss of this structure will diminish the number of structures that communicate this overall character.
- c. The demolition would be contrary to the purpose and intent of this Ordinance and the objectives of the preservation plan for the district. The Landmarks Commission is charged with protecting and enhancing the perpetuation of historic districts and the City’s cultural heritage. The Preservation Plan calls for the preservation and enhancement of the architectural character of the Mansion Hill neighborhood. The loss of this building would be contrary to the intent of the Ordinance and the objectives of the Preservation Plan. The purpose and intent of the Landmarks Ordinance also focuses on stabilizing and improving property values, and strengthening the economy of the City as it concerns the architectural and historical significance of the city. When considering demolition and new construction in a historic district the bar for architecture is extremely high. Buildings constructed in this time should become future landmarks that interpret the evolution of the city.
- d. The building is not of such old and unusual or uncommon design, but it is an original vernacular structure. The structure could be reconstructed, but the integrity of the original construction methods and materials would be lost.
- e. Retention of the building will promote the general welfare of the public. The general welfare of the public is promoted by the retention of the City’s cultural resources and historic identity.
- f. The building is in deteriorated condition and a hardship is being claimed. While the property had already suffered damage by fire and foundation issues before being acquired by Steve Brown Apartments, the building was not repaired to rectify the issues and has deteriorated further. A property owner in a historic district is charged with keeping their property in good repair. The intent of this provision is to maintain the building stock in good condition so that demolition by neglect cannot be used to damage the essence of the historic district.
- g. The new structure proposed for this site may meet zoning code requirements, but it does not meet the Landmarks Ordinance. Further analysis of the new development proposal is found below.

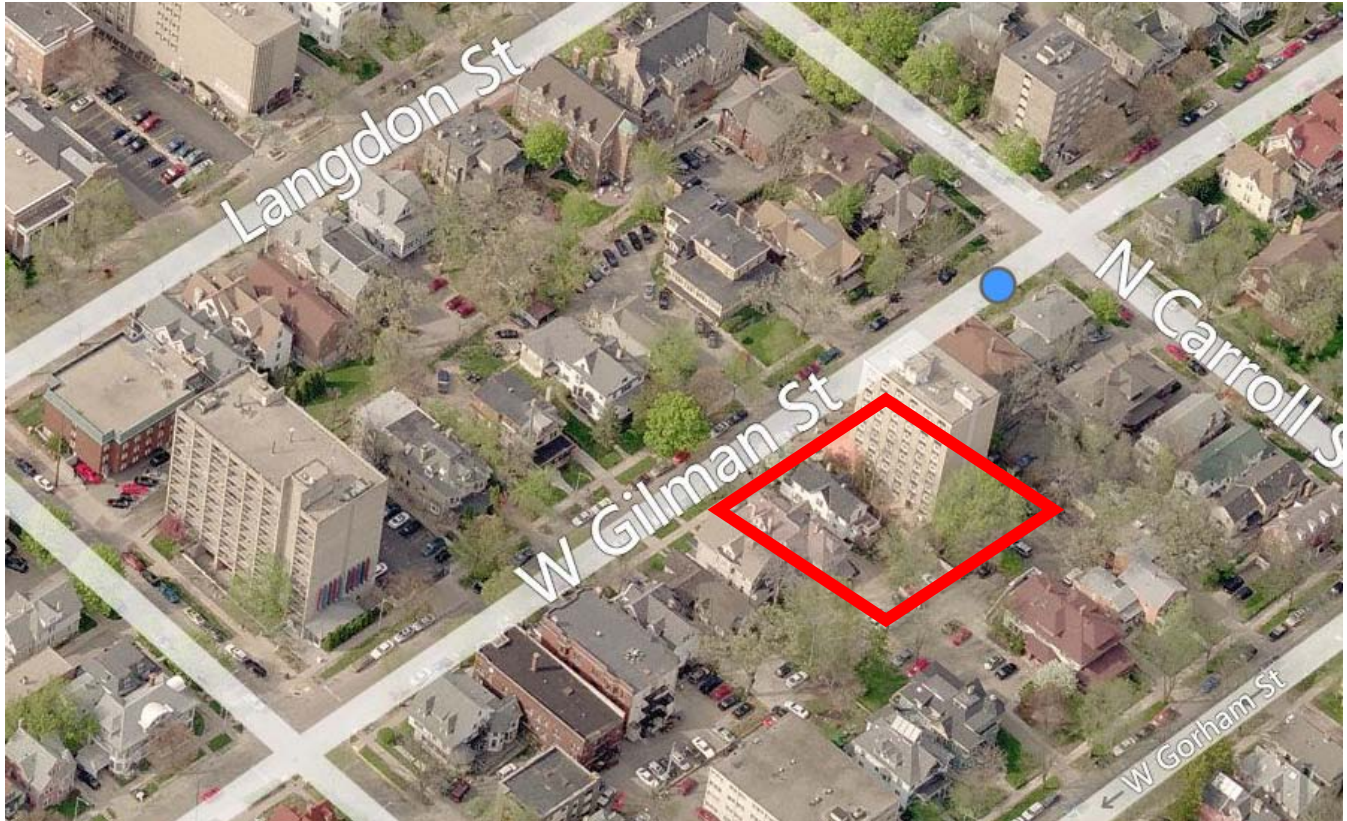
Staff has requested that the project team investigate the relocation of this building. The maintenance and repair of buildings in the historic district is a priority for the City of Madison. To respond to this request, the project team has submitted numerous condition and structural reports which describe the condition of the structure.

Because the Ordinance allows the Commission to give decisive weight to any or all of the demolition standards, staff suggests that the Commission weigh standards a. through f. under this Certificate of Appropriateness and

consider the appropriateness of the new development on the site under a different Certificate of Appropriateness.

Certificate of Appropriateness for new development on W Gilman

The Visually Related Area (VRA) map showing existing conditions is attached for interpretation of the Ordinance.



Bing maps aerial view

A brief discussion of the criteria for new development (33.19(10)(e)) follows:

1. Based on the provided submission materials, staff cannot conclude that the gross volume of the proposed buildings are visually compatible with the buildings and environment with which they are visually related. The proposed buildings have taller stories and deeper footprints resulting in larger building volumes than the buildings in the visually related area. The proposed buildings are also rectangular volumes void of any pitched roofs, projecting bays and porches, and lower story additions which results in a visual incompatibility with the majority of the buildings in the VRA that do possess these features. The majority of the buildings in the VRA were originally constructed as single family residences and have a residential scale and residential features that provide a different environment than the proposed buildings which are being constructed as larger scale multi-family residential buildings.

The Landmarks Ordinance does not specifically define what does or does not constitute a compatible volume by definition. The volume of the proposed structure is larger than other structures in the VRA. The form is consistent with the other flat roofed structure in the VRA (and the additional one just outside the VRA) on the same block as the proposed structures. The Landmarks Commission should determine what constitutes a compatible building volume for new construction in the VRA and whether the flat roof design is sufficiently consistent.

2. Staff cannot conclude that the proportions between the width and the height of the street facades are visually compatible with the buildings and the environment with which they are visually related. The height of each story is taller than the relative heights of the adjacent buildings. However, due to the taller stories, transom windows have been added to the proposed buildings to increase the overall size of the window openings and reduce the amount of wall brick which generally helps the proportional relationships. In addition, architectural details like stone banding, masonry soldier courses, and changes in material treatments have been included to break up the elevations which helps the proportion.

The “traditional” design of the proposed buildings to look like circa 1900s brownstones has been discussed in numerous staff and project team meetings. The buildings as currently designed are not historically appropriate. Given the design preference of staff and the owner to have a traditionally styled building, staff suggests that the design be changed to incorporate an historically appropriate traditional style and that the project team provide visual examples of the desired style.

3. The proportions and relationships between width and height of the doors and windows in the street facades of the proposed buildings are generally visually compatible with the buildings and environment with which it is visually related if one looks at the overall amount of window size and door size to exterior wall size as a composition. As described above, due to the taller stories, transom windows have been added to the proposed buildings to increase the overall size of the window openings. As an example, the treatment of the transom and lower windows are historically inappropriate. In traditional architectural styles, the glass proportion is based on a proportion of 8 wide:10 high which directly corresponds to the fabrication size of early glass. The glass size shown in the submission drawings is square and in some cases is rectangular on the horizontal. While the transoms have continuous mullions that relate to the windows, in an historically appropriate application, the transom muntins shall align with the window muntins below. The pairing of the windows does not allow for the muntins to align. Staff has many concerns about the appropriate treatment of the windows and doors as currently submitted and encourages the project team to provide visual examples of the desired style.
4. The rhythm of solids to voids created by openings in the facade of the new buildings may be visually compatible with the buildings and environment with which they are visually related. Generally, the proposed buildings have an appropriate amount of door and window openings (voids) spaced equally in a rhythm in the building wall (solid) of the front elevations. The blank wall areas of the side elevations should be redesigned to incorporate windows.
5. The proposed street facades (aside from the aforementioned issues) blend with the existing adjacent buildings via directional expression. Generally the existing buildings have a dominant vertical expression with horizontal details that is carried over and reflected in the proposed buildings. However, the use of stone on the base of the proposed buildings is not successful and does not help the design achieve the appropriate expression. The same is true for the change from stone to siding on the rear portions of the buildings. Staff strongly suggests that the inappropriate details be removed from the design and that the buildings have four elevations of brick.

Land division/combination in historic district advisory recommendation

Due to nonconformance with the building and zoning codes, the project cannot be constructed as proposed with one parking structure accessing three separate buildings on three separate lots. To comply with the building and zoning codes, the project team will (at some time in the future) request a land division through Certified Survey Map (CSM) which will create one large development lot from three existing smaller lots. The creation of one large lot in this historic district context is not compatible with adjacent lot sizes and does not maintain the general lot size pattern of the Historic District. However, if the CSM is tied to this specific project which shows three building masses above the underground parking structure and this project is approved, staff can support the lot combination since the lot size does not translate into a large building.

New development adjacent to landmark site at 120 W Gorham advisory recommendation

The building at 120 West Gorham was constructed in 1907 in the Prairie Style for Addie and Frank Wootton. It was later the residence of Daniel Mead who was a UW professor of engineering and a world-famous designer of dams and hydroelectric power plants. After 1948, the residence was purchased by Sigma Nu fraternity which remained in the building until the 1960s.

The proposed buildings meet the rear yard setback (30') and are being realized as numerous smaller buildings instead of one large building; therefore, staff believes the proposed buildings are not so large and visually intrusive and do not adversely affect the historic character and integrity of the adjacent landmark.

Recommendation

Each Certificate of Appropriateness and advisory recommendation will be discussed separately in this section.

Certificate of Appropriateness for Demolition of structure at 121 W Gilman

Staff believes that the standards for granting the Certificate of Appropriateness for the demolition of the building at 121 W Gilman may be met and recommends approval by the Landmarks Commission.

Certificate of Appropriateness for Demolition of structure at 127 W Gilman

Staff believes that the standards for granting the Certificate of Appropriateness for the demolition of the building at 127 W Gilman are not met and recommends that the Landmarks Commission deny the request. Staff also suggests that the Landmarks Commission discuss the relocation of the structure.

Certificate of Appropriateness for new development in historic district

Because the gross volume of the new buildings has a questionable relationship to the VRA and because the design is not appropriate, Staff believes the standards for granting a Certificate of Appropriateness for the new development are not met and recommends that the Landmarks Commission refer the request at this time so that the project team can continue to work with staff to develop a project that meets the Ordinance. Staff suggests that the Landmarks Commission discuss the attributes of the project and provide the project team with design direction that would be appropriate in the Mansion Hill historic district.

Land division/combination in historic district advisory recommendation

Information will be submitted for this recommendation in the future. Staff recommends that the Landmarks Commission refer this review and recommendation to a future meeting.

New development adjacent to landmark site at 120 W Gorham advisory recommendation

Staff concludes that the proposed buildings are not so large and visually intrusive and do not adversely affect the historic character and integrity of the adjacent landmark and that the Landmarks Commission should provide a similar recommendation to the Plan Commission.